

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	x	
)	No. 03 MDL 1570 (GBD/SN)
)	
In re Terrorist Attacks on September 11, 2001)	ECF Case
)	
)	ORAL ARGUMENT REQUESTED
)	
)	
)	
)	
-----	x	

This document relates to:

Federal Insurance Co., et al. v. Al Qaida, et al., 03-cv-06978
Thomas E. Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., 03-cv-09849
Estate of John P. O'Neill, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., 04-cv-01923
Continental Casualty Co., et al. v. Al Qaeda, et al., 04-cv-05970
Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al., 04-cv-07065
Euro Brokers Inc., et al. v. Al Baraka Inv. & Dev. Corp., et al., 04-cv-07279

**NOTICE OF DEFENDANT DUBAI ISLAMIC BANK'S
MOTION FOR SUMMARY JUDGMENT AND
RENEWED MOTION FOR DISMISSAL FOR LACK OF PERSONAL JURISDICTION**

Please take notice that Defendant Dubai Islamic Bank (“DIB”) moves this Court for summary judgment pursuant to Federal Rule of Civil Procedure 56 (or, in the alternative, for a renewed motion to dismiss pursuant to Federal Rule of Civil Procedure 12) for lack of personal jurisdiction based on its Memorandum of Law in Support of Defendant Dubai Islamic Bank’s Motion for Summary Judgment and all the papers and proceedings heretofore had herein. There is no genuine dispute as to any material fact. The material, undisputed facts demonstrate the absence of personal jurisdiction over DIB, a foreign entity. Should this Court deem any material fact disputed, however, DIB requests an evidentiary hearing, as the Court is the appropriate finder

of jurisdictional facts. DIB reserves its right to seek summary judgment on other grounds should this motion be denied. *See* ECF 7160; ECF 7096 at 3. While DIB believes the undisputed facts show the absence of personal jurisdiction, the Court could in the alternative reach the same conclusion on this renewed motion to dismiss under Federal Rule of Civil Procedure 12(b)(2). DIB maintains its conditional request for an evidentiary hearing under either alternative.

DIB bases this motion on this Notice of Motion, the accompanying Rule 56.1 Statement of Undisputed Material Facts, Memorandum of Law, Declaration of Steven T. Cottreau, exhibits, the requested oral argument if any be granted, and all materials in the discovery record.

Pursuant to the Court's order of April 28, 2022, Plaintiffs shall file any opposition to this motion by August 3, 2022, and DIB shall file any reply by September 16, 2022. ECF 7929.

Dated: June 17, 2022

Respectfully submitted,

/s/ Steven T. Cottreau

Steven T. Cottreau

C. Kevin Marshall (admitted *pro hac vice*)

Gabrielle E. Pritsker

Audrey Beck (admitted *pro hac vice*)

JONES DAY

51 Louisiana Avenue, N.W.

Washington, D.C. 20001

Telephone: (202) 879-3939

Email: scottreau@jonesday.com

Email: ckmarshall@jonesday.com

Email: gpriksker@jonesday.com

Email: abeck@jonesday.com

Juan P. Morillo (admitted *pro hac vice*)

QUINN EMANUEL URQUHART & SULLIVAN

LLP

777 Sixth St., N.W.

Washington, D.C. 20001

Telephone: (202) 538-8174

Email: juanmorillo@quinnemanuel.com

Counsel for Defendant Dubai Islamic Bank